IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 6017 of 2007(N)

PETITIONER:
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1. T.B.RAJAPPAN, S/O KUTTAPPAN,
AGED 62 YEARS, SUBHASH BHAVAN,
THEKKUMBHAGOM, EDAVATTOM P.O.,
KOTTAYAM DISTRICT.

2. SUBHASH, S/O RAJAPPAN,
AGED 29 YEARS -DO-DO-.

BY ADV. SRI.SAJEEV KUMAR K.GOPAL
SRI.BINOY VASUDEVAN

RESPONDENTS:
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1. THE SPECIAL SALE OFFICER,
OFFICE OF THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES, VAIKKOM,
KOTTAYAM DISTRICT.

2. MARAVANTHURUTHU SERVICE CO-OPERATIVE
BANK(KTD)NO.121 EDAVATTOM P.O.,
THALAYOLAPARAMBU, KOTTAYAM DISTRICT.

BY ADV. SRI.T.A.SHAJI
SMT.T.V.NEEMA
GOVT. PLEADER SRI.P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE RELEVANT PAGES OF THE PASS BOOK OF R2 FROM 7-2-06 TO 22-1-07**
EXT.P2	**TRUE COPY OF THE RECEIPTS ISSUED BY R2**
EXT.P3	**TRUE COPY OF THE SALE NOTICE DTD. 17-1-07 IN E.A.NO.1195/03 ISSUED BY R1**
EXT.P4	**TRUE COPY OF THE SALE NOTICE DTD. 17-1-07 IN E.A.NO.4752/05 ISSUED BY R1**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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WP.(C) No.6017 of 2007

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Dated this the 19th day of June, 2007

JUDGMENT

Petitioners availed a loan. It was not repaid. Coercive steps were taken.

2. I heard learned counsel for the petitioners and the Bank. Counsel for the petitioners points out financial difficulties and prays that petitioners may be granted easy instalments, so that they can repay the amount. It is also pointed out that they have already paid Rs.60,000/-.

The writ petition is disposed of as follows:

The respondent Bank will serve a statement on the petitioners showing the exact amount payable as instalment calculating it on the basis of twelve instalments after adjusting the payments made within three weeks from today. Upon receipt of the statement, the petitioners are permitted to pay off the amount in twelve equal monthly instalments, the first of which shall be payable on or before 2.8.2007. Petitioners have to pay the subsequent instalments on or before the 2nd

of the succeeding months. If any of the instalment is not paid, it is open to the Bank to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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